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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/834,255	04/12/2001	Peter Alexander Grossman	70006210-1	2741

7590

06/28/2005

HEWLETT-PACKARD COMPANY  
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EXAMINER

AMINI, JAVID A

ART UNIT

PAPER NUMBER

2672

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/834,255

**Applicant(s)**GROSSMAN, PETER  
ALEXANDER**Examiner**

David A. Amini

**Art Unit**

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-8, 10, 16 and 17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Yw

***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/27/2005 has been entered.

Applicant's arguments with respect to claims 1-3, 5-8, 10 and 16-17 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-3 and 5 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-3 and 5 rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. See MPEP § 2172.01. The omitted elements are: in claim 1 third line claims "a touch-sensitive screen ...." Does not provide enough information to a person skill in the art, whether the touch screen uses pressure or whether uses light sensors or etc.

Regarding claim 1-3 and 5 the word "means" is preceded by the word(s) "generating" in an attempt to use a "means" clause to recite a claim element as a means for performing a specified function. However, since no function is specified by the word(s) preceding "means," it

Art Unit: 2672

is impossible to determine the equivalents of the element, as required by 35 U.S.C. 112, sixth paragraph. See *Ex parte Klumb*, 159 USPQ 694 (Bd. App. 1967).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 5-8, 10 and 16-17 rejected under 35 U.S.C. 103(a) as being unpatentable over Hailey et al., and further in view of Padula et al.

1. Claims 1, 6 and 16-17.

A system for manipulating an image on a screen, said system comprising:

Hailey in fig. 2 illustrates a system for manipulating an image on a screen. Hailey does not teaches the following claim limitations for a touch-sensitive screen and a stylus for indicating an image on screen, however, Padula in fig. 2 illustrates the condition of the stylus when the extending tip 60 of the stylus is just touching the surface 61 of digitizer tablet 21, so that a minimum pressure is applied to the pressure sensitive resistance element 41. Padula in col. 1, lines 42-46 teaches that pressure can be used by an application program operating on a computer to determine whether the user is selecting an option on the screen or tablet surface, similar to a "mouse click" operation. Applicant discloses in the specification page 4, lines 20-22 that instead of using a touch-screen and stylus, a digitizing tablet and pen or puck or other suitable pointing device could be used. Applicant claims generating means for generating said image on said

Art Unit: 2672

screen, which is obvious because Hailey in fig. 2 illustrates it. The next step of this claim claims that generating means including a dynamic zoom means for carrying out a zoom action on said image on said screen, and Hailey in col. 2, lines 39-42 teaches a dynamic zoom sequence, which is necessary to design a filter set so that the cut-off frequency of some or all of the filters within the set is spaced logarithmically in order to minimize perceptible changes in sharpness which may result from the use of a discrete filter set. Now it would have been obvious to a person skill in the art to incorporate the digital image processing of Hailey with Padulas' stylus that equipped with a zoom button 80 and a move button 87 may be held in the side of the main housing and engagable with suitable switch elements on the circuit board 71, to permit the operator to control various functions of the stylus (see col. 4, lines 5-15). This modification of Padula into Hailey would provide a user to perform a dynamic zooming on an image, and Hailey provides an example: for a 2:1 zoom ratio is given in fig. 3. Line A shows original input pixels from the portion a of the full input image produced according to the system timing illustrated in Line C. Line B illustrates the output pixels needed for a 2:1 zoom from the active portion a to produce a full-sized output image (FIG. 2). Thus, Lines A and B represent the spatial relationship between the original input and "zoomed-in" pixels respectively.

Zooming is obtained by writing into the input store 14 at the synchronous rate represented by the Line C timing and then controlling the readout of the input store so as to repeat samples in its output. In the example shown in FIG. 3, this is done by advancing the read address for every other input clock, as shown by Line F, thereby repeating pixels as shown in Line D. The repeated pixels are then subjected to a linear interpolation in the spatial interpolation unit 16. The interpolated pixels are shown in Line E relative to the synchronous timing of Line C. In

Art Unit: 2672

accordance with a simple linear interpolation, output (repeat) pixel B will be the average of input pixels N and N+1, (repeat) pixel D the average of input pixels N+1 and N+2, and so on. Claims 16 and 17 claims the center of zoom action follows the movement of stylus. Hailey in col. 3, lines 10-16 teaches this broad limitation as follows: It is known to use a telecine (Telecine is the process of transferring motion picture film to a video format) film scanner for scanning image pixel areas on motion picture film to produce image pixel data corresponding to those image pixel areas. Size alteration effected by vertical and/or horizontal enlargement or expansion will be called zooming and orientation alteration effected by side-to-side or up and down movement will be called panning.

2. Claims 2-3 and 7-8.

It is obvious that the two references cover the limitations of enlargement and reduction of an image, because Hailey in fig. 3 illustrates two different zooming of the data image.

3. Claims 5 and 10.

Applicant claims that the image on the screen is the graphical form of a mathematical object. It is very obvious because a person skill in the art would analyze (e.g. by using a rectangular array of numeric or algebraic quantities subject to mathematical operations) and having the coordinates as to locate a pixel, and other attributes involve for that particular pixel. A plurality of pixels creates a graphical object or a mathematical object.

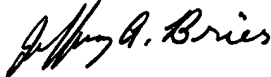
Art Unit: 2672

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javid A. Amini whose telephone number is 571-272-7654. The examiner can normally be reached on 8-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 571-272-7664. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
JEFFREY B. BRIES  
PRIMARY EXAMINER

Javid A Amini  
Examiner  
Art Unit 2672

Javid Amini